IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 23241 of 1998

Between:

1 M/s. Spectra Agrochem Ltd., rep by its Chairman
Regd. Off: Tadigadapa, Krishna Dist. Sri K. Satyanarayana, Chairman,
2 Sri K. Satyanarayana, S/o K. Venkatadri Chowdary,
R/o Plot No.1159, Road No.57, Jubilee Hills, Hyderabad.

..... PETITIONERS

AND

1 The Government of A.P., rep by its Secretary,
Revenue (Excise-III) Dept., Secretariat,
Hyderabad.
2 The Union of India, Rep by its Secretary,
Ministry of Industries, New Delhi.
3 The Commissioner of Prohibition & Excise,
Nampally, Hyderabad.
4 The Excise Officer, Spectra Agrochem Ltd.,
Uppuluru, Krishna Dist.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to call for the records relating to demand notice 10-7-1998 of the 4th respondent herein and issue an order or direction or a Wit more particularly a Writ in the nature of CERTIORARI and quash the demand notice dt: 10-7-1998 as arbitrary illegal and ultravires the A.P. Excise Act and unconstitutional offending Art.14, 19 (1) (g), Art. 265 and 300 (a) and consequently issue a mandamus restraining the respondent 2 to 4 from enforcing the demand.

Counsel for the Petitioners: Mr. C. KODANDA RAM

Counsel for the Respondents: GP FOR PROHIBITION & EXCISE

The Court made the following :

ORDER:

This writ petition is filed seeking to quash the impugned demand notice dated 10-7-1998 issued by the fourth respondent demanding the petitioner-company to pay an amount of Rs.7,86,000/- towards administrative fee, to the Government.

When the matter came up today for hearing, the learned Counsel for the petitioner submits that the petitioner-company was wound up, and no orders are necessary in this writ petition. He also submits that the legal questions raised in the writ petition may be kept open for decision in appropriate proceedings.

Recording the above submission, the writ petition is dismissed as having become infructuous. No costs. However, the legal questions raised in the writ petition are kept open for decision in appropriate proceedings.

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N.V. RAMANA, J

Date: 17-03-2005

Svv

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Secretary, Government of A.P., Revenue (Excise-III) Dept., Secretariat, Hyderabad.
2 The Secretary, Union of India,
Ministry of Industries, New Delhi.
3 The Commissioner of Prohibition & Excise,
Nampally, Hyderabad.
4 The Excise Officer, Spectra Agrochem Ltd.,
Uppuluru, Krishna Dist.

5 Two CCs. to the Government Pleader for Prohibition and Excise, High Court Buildings, A.P., Hyderabad (OUT).

6 Two CD copies

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